



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 17, 2010

Mr. Barry S. Allen
Site Vice President
FirstEnergy Nuclear Operating Company
Davis-Besse Nuclear Power Station
Mail Stop A-DB-3080
5501 North State Route 2
Oak Harbor, OH 43449-9760

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1 – ENVIRONMENTAL
ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT
(TAC NO. ME4029)

Dear Mr. Allen:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact related to your application for exemption dated May 28, 2010, as supplemented on June 9, 2010 and June 11, 2010. The proposed exemption from specific requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 26, for the Davis-Besse Nuclear Power Station, Unit 1 (DBNPS), would allow the use of the less restrictive working hour limitations described in 10 CFR 26.205(d)(4) and (d)(5) to support the activities required to complete the current, extended DBNPS outage, for a period not to exceed 60 days.

The Environment Assessment and Finding of No Significant Impact is being forwarded to the Office of the *Federal Register* for publication.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Mahoney", written over a horizontal line.

Michael Mahoney, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosure:
Environmental Assessment

cc w/encl: Distribution via Listserv

UNITED STATES NUCLEAR REGULATORY COMMISSIONFIRSTENERGY NUCLEAR OPERATING COMPANYDOCKET NO. 50-346DAVIS-BESSE NUCLEAR POWER STATIONENVIRONMENTAL ASSESSMENT ANDFINDING OFNO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an Exemption, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 26 Section 9, "Specific exemptions," from 10 CFR Part 26, "Fitness for duty programs," for Facility Operating License No. NPF-3, issued to FirstEnergy Nuclear Operating Company (FENOC, the licensee), for operation of the Davis-Besse Nuclear Power Station, Unit 1 (DBNPS), located in Ottawa County, Ohio. In accordance with 10 CFR 51.21, the NRC prepared an environmental assessment. Based on the results of the environmental assessment, the NRC is issuing a finding of no significant environment impact.

ENVIRONMENTAL ASSESSMENTIdentification of the Proposed Action:

The proposed action would allow the use of the less restrictive working hour limitations described in 10 CFR 26.205(d)(4) and (d)(5) to support the activities required to complete the current, extended DBNPS outage, for a period not to exceed 60 days. The proposed action would apply to operations (who also comprise the fire brigade), maintenance, security, chemistry and radiation protection personnel as defined in 10 CFR 26.4(a)(1) through (a)(5).

The proposed action, allowing the use of the less restrictive working hour limitations described in 10 CFR 26.205(d)(4) and (d)(5), does not involve any physical changes to the reactor, fuel, plant structures, support structures, water or land at the DBNPS site.

The proposed action is in accordance with the licensee's application dated May 28, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML101620127) as supplemented on June 9, 2010 (ADAMS Accession No. ML101600134) and June 11, 2010 (ADAMS Accession No. ML101650205).

The Need for the Proposed Action:

The proposed action is needed to support the activities required to complete the current extended DBNPS outage in lieu of working hour limitations described in 10 CFR 26.205(d)(3).

Environmental Impacts of the Proposed Action:

The NRC has completed its environmental assessment of the proposed exemption. The staff has concluded that the proposed action to extend the implementation deadline would not significantly affect plant safety and would not have a significant adverse effect on the probability of an accident occurring.

The NRC staff's safety evaluation will be provided in the exemption that will be issued as part of the letter to the licensee approving the exemption to the regulation, if granted.

There will be no change to radioactive effluents that effect radiation exposures to plant workers and members of the public. The proposed action does not involve a change to plant buildings or land areas on the DBNPS site. Therefore, no changes or different types of radiological impacts are expected as a result of the proposed exemption.

Due to the nature of the proposed action the NRC concluded that the proposed action does not result in changes to land use or water use, or result in changes to the quality or quantity of non-radiological effluents. No changes to the National Pollution Discharge

Elimination System permit are needed. No effects on the aquatic or terrestrial habitat in the vicinity of the plant, or to threatened, endangered, or protected species under the Endangered Species Act, or impacts to essential fish habitat covered by the Magnuson-Stevens Act (Public Law 94-265, as amended) are expected. There are no impacts to the air or ambient air quality. There are no impacts to historic and cultural resources. There would be no noticeable effect on socioeconomic resources in the region. Therefore, no changes to or different types of non-radiological environmental impacts are expected as a result of the proposed exemption.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action:

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. If the proposed action was denied, the licensee would be using the work hour limitations as described in 10 CFR 26.205(d)(3). The environmental impacts of the proposed action and the "no-action" alternative action are similar.

Alternative Use of Resources:

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for the DBNPS.

Agencies and Persons Consulted:

In accordance with its stated policy, on June 9, 2010, the staff consulted with the Ohio State official, Ms. Carol O'Claire of the Ohio Emergency Management Agency, regarding the environmental impact of the proposed action. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated May 28, 2010, as supplemented on June 9, 2010 and June 11, 2010. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or send an e-mail to pdr.resource@nrc.gov.

Dated at Rockville, Maryland, this 17day of June 2010.

FOR THE NUCLEAR REGULATORY COMMISSION



Michael Mahoney, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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Sincerely,
/RA/
Michael Mahoney, Project Manager
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ADAMS Accession Nos. Letter (NRR-106) ML101610264 EA FRN (NRR-042) ML101610282

OFFICE	DORL/LPL3-2/PM	DORL/LPL2-3/LA	NRR/DLR/RERB/BC	OGC(NLO)	DORL/LPL3-2/BC
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DATE	06/09/10	06/14/10	06/10/10	6/15/10	6/17/10

*Via E-mail

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